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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,131	07/25/2001	Jeff Alan Rose	16356.640(DC-02925)	5738

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EXAMINER

SHORTLEDGE, THOMAS E

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 09/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/915,131	Applicant(s) ROSE, JEFF ALAN	
	Examiner Thomas E. Shortledge	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-15 and 18-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-15 and 18-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Remarks filed, 04/04/2006 and RCE filed, 06/19/2006.
2. Claims 1-3, 6-15 and 18-29 are pending. Claims 1, 12 and 21 are independent. Claims 4, 5, 16 and 17 have been cancelled. Claims 1, 6, 12 and 21 have been amended.
3. The 35 U.S.C. 112 2nd paragraph rejection of claim 6 has been withdrawn in accordance with the applicants' amendments.

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/19/2006 has been entered.

Response to Arguments

5. Applicant's arguments filed 04/04/2006 have been fully considered but they are not persuasive. The applicants' arguments merely recite that the entire claim language of claims 1, 12 and 21 is not taught by Levin et al. (US 6,732,159 B1), making them unclear. The arguments fail to discuss how the applied prior art is not applicable, and why it does not teach the claimed limitations. The arguments only state that the claimed limitation is not shown or taught by Levin et al. The examiner disagrees that Levin et al. do not teach the claimed limitations and a response can be found in the claim rejections below.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Levine et al. (6732159).

As to claim 1, Levine et al. teach:

a speech synthesizer (*speech-synthesis hardware, col. 12, line 29*);

a computer system including a basic input output system (BIOS) configured to provide a translation from display information to a data pattern output via a serial port in the system for generating an audible output (*a computer system with a microprocessor, BIOS and RAM connected to a display adapter, the BIOS configured to recognize a administration adapter, the administration adapter having a speech synthesizer connected to serial port, the speech synthesizer implemented by a text to speech system, where the administration adapter converts display information to a serial port, the serial port connected to a text to speech system within a speech synthesizer, able to translate input text to output speech, col. 5, lines 2-4, col. 11, lines 39-42 and col. 12, lines 17-28*) and, in response to detecting the speech synthesizer (*detecting an administration adapter, which converts display information to be a serial output, the serial output being a speech synthesizer col. 5, lines 27-35, and col. 12, lines 17-28*), cause the computer system to translate the information to a data pattern and provide the data pattern to the speech synthesizer (*recognizing an administration adapter within the BIOS, and data is converted to be outputted to the administration adapter, (col. 5, lines 27-35, and col. 6, lines 2-6), and the administration adapter can be used to implement a text to speech system having speech-synthesis hardware, col. 12, lines 17-19 and 26-29*);

the speech synthesizer coupled to the serial port configured to reproduce the pattern with the audible output (*the speech-synthesizer connected to a serial port,*

produces an audible output for the data pattern provided to the administration adapter, col. 12, lines 17-28).

As to claims 12 and 21, Levine et al. teach:

including a basic input output system (BIOS) *(a computer system with a microprocessor, BIOS and RAM connected to a display adapter, col. 5, lines 2-4);*

displaying information associated with a pre-boot environment on a display associated with the computer system *(displaying information during a pre-boot environment col. 5 lines 6-7 and 20-23);*

the BIOS providing a translation of the information to a data pattern output via serial port in the system for generating an audible output *(the BIOS provides a translation of data from the microprocessor to the administration adapter and the display, the display information is converted to by administration adapter to be outputted by a serial device, the serial device being a speech synthesizer containing a text to speech system, where input text is translated to output speech, (col. 5 lines 25-30, col. 11, lines 39-45, and col. 12, lines 17-28),*

in response to detecting a serial speech synthesizer associated with the computer system and coupled to the serial port providing the data pattern to the speech synthesizer reproducing the pattern with one or more audible outputs associated with the information *(the data pattern is sent to the administration adapter, when the administration adapter is detected and the administration module has connected to it a*

serial speech synthesizer for outputting audible outputs associated with the information, col. 5, lines 25-32, col. 11, lines 39-45 and col. 12, lines 17-28).

As to claims 2, 14 and 23, Levine et al. teach the computer system includes a memory location, and wherein the BIOS is configured to cause the computer system to store a predefined value in the memory location in response to detecting the speech synthesizer *(the BIOS has a memory (col. 6, lines 13-15) the administration adapter uses two bytes of registers of the memory location, col. 6, lines 15-18).*

As to claims 3, 15 and 24, Levine et al. teach the computer system includes a memory location, and wherein the BIOS is configured to detect to the speech synthesizer by detecting a predefined value stored in the memory location *(the BIOS recognizes the administration adapter within its memory locations, col. 5, lines 25-30 and 13-16).*

As to claims 4, 16 and 25, Levine et al. teach the computer system includes a port, and wherein the speech synthesizer is coupled to the port *(the speech-synthesizer connected to a serial port, col. 12, lines 25-27).*

As to claims 5, 17 and 26, Levine et al. teach the port includes a serial *(a serial port connection, col. 12, lines 26-28).*

As to claims 6, 18 and 27, Levine et al. teach the computer system includes a table that includes a plurality of strings a plurality of codes, wherein the information is associated with one or more of the plurality of strings, and wherein the BIOS causes one or more of the plurality of codes associated with the one or more plurality of strings to be provided to the speech synthesizer (*The BIOS outputs a code which indicates what to display to the administration adapter, where the administration adapter converts the code into a serial output, the serial output being speech synthesis hardware able to implement a test-to-speech system, reading aloud the screen data during a boot process, (col. 11, lines 39-45 and col. 12, lines 17-28). Where it would be inherent that the speech-synthesizer would have a table including a list of strings and matching codes to properly translate the inputted data using a text-to-speech method*).

As to claims 7, 19 and 29, Levine et al. teach the computer system includes a Speech Synthesis Interface Library Table (*a speech-synthesizer able to convert the displayed data is a text-to-speech manner (col. 12, lines 17-28), where it would be inherent that since text-to-speech is used a Synthesis Interface Library table would be present to properly convert the displayed text to corresponding speech*).

As to claim 8, Levine et al. teach the computer system includes a speech synthesis module configured to convert the information into the signals (*a speech-synthesizer to convert the incoming information to output signals, col. 12, lines 25-29*).

As to claim 9, Levine et al. teach the computer system includes the speech synthesizer (*the computer system includes the speech synthesizer, col. 12, lines 17-19*).

As to claim 10, Levine et al. teach the computer system includes a sound card, and wherein the sound card includes the speech synthesizer (*speech synthesizer hardware for outputting the sound (col. 12, lines 25-28). It would be inherent that since the speech synthesizer hardware is able to output sound, it would be considered a sound card*).

As to claim 11, Levine et al. teach the audible outputs include sounds associated with a spoken language (*speech is outputted, col. 12, lines 17-19*).

As to claims 13 and 22, Levine et al. teach in response to detecting the speech synthesizer, providing one or more signals associated with the information to the speech synthesizer (*providing information to the speech synthesizer for text-to-speech conversion, col. 12, lines 17-28*); and generating the one or more audible outputs in response to the one or more signals (*generating audible outputs using text-to-speech conversion, col. 12, lines 17-28*).

As to claims 20 and 29, Levine et al. teach in response to detecting the speech synthesizer, generating the one or more audible outputs using a speech synthesis module stored on the computer system (*detecting a speech-synthesizer and the*

speech-synthesizer to convert the incoming information to output signals, col. 12, lines 25-29).

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas E. Shortledge whose telephone number is (571)272-7612. The examiner can normally be reached on M-F 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 09/915,131
Art Unit: 2626

Page 10

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08/28/06



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